

REMARKS

Claims 1-6 are pending in the application. In the Office Action of November 16, 2005, the Examiner made the following disposition:

- A.) Rejected claims 2-3 under 35 U.S.C. §112, second paragraph.
- B.) Rejected claims 1-5 under 35 U.S.C. §102(e) or alternatively under 103(a) in view of *Sonozaki, et al.*
- C.) Rejected claims 1-6 under 35 U.S.C. §102(e) or alternatively under 103(a) in view of *Shibuya, et al.*

Applicants respectfully traverse the rejections and address the Examiner's disposition below. Claims 1, 2 and 3 have been amended as discussed below. Claim 6 has been amended to correct informalities.

A.) Rejection of claims 2-3 under 35 U.S.C. §112, second paragraph:

Claims 2 and 3 have been amended as per the Examiner's request to overcome the rejection.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 1-5 under 35 U.S.C. §102(e) or alternatively under 103(a) in view of *Sonozaki, et al.*:

Applicants respectfully disagree with the rejection.

Referring to Applicants' Figure 1C for illustrative purposes, claim 1, as amended, claims a nonaqueous-electrolyte secondary battery. A film-like or sheet-like package member 3a and 3b cover a laminating structure. The package member has a top portion 3a positioned at a top side of a lead electrode 1a and a bottom portion 3b positioned at a bottom side of the lead electrode 1a. A top sealing member 2a, which is located in a gap between an end of the top portion of the package member and the lead electrode, seals the gap by fusing a top portion thermoplasticity material. A bottom sealing member 2b, which is located in a gap between an end of the bottom portion of the package member and the lead electrode, seals the gap by fusing a bottom portion thermoplasticity material. The top sealing member and the bottom sealing member each extend to the width of the end of the package member.

This is clearly unlike *Sonozaki*, which fails to disclose or suggest Applicants' claimed sealing members. Referring to *Sonozaki* Figure 12, *Sonozaki* teaches a sealing member 23 that

seals the interface where two package members 18 and 19 meet. The sealing member is not located between the package members 18 and 19. Unlike Applicants' claimed invention, nowhere does *Sonozaki* teach top and bottom sealing members. Instead, *Sonozaki* only teaches one sealing member. Further, unlike Applicants' claimed invention, *Sonozaki* fails to disclose or suggest two sealing members that have a package member on its one side and a lead electrode on its other side. For at least this additional reason, *Sonozaki* fails to disclose or suggest claim 1.

Claims 2-5 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

C.) Rejection of claims 1-6 under 35 U.S.C. §102(e) or alternatively under 103(a) in view of *Shibuya, et al.*:

Applicants respectfully disagree with the rejection.

Referring to Applicants' Figure 1C for illustrative purposes, claim 1, as amended, claims a nonaqueous-electrolyte secondary battery. A film-like or sheet-like package member 3a and 3b cover a laminating structure. The package member has a top portion 3a positioned at a top side of a lead electrode 1a and a bottom portion 3b positioned at a bottom side of the lead electrode 1a. A top sealing member 2a, which is located in a gap between an end of the top portion of the package member and the lead electrode, seals the gap by fusing a top portion thermoplasticity material. A bottom sealing member 2b, which is located in a gap between an end of the bottom portion of the package member and the lead electrode, seals the gap by fusing a bottom portion thermoplasticity material. The top sealing member and the bottom sealing member each extend to the width of the end of the package member.

This is clearly unlike *Shibuyai*, which fails to disclose or suggest Applicants' claimed sealing members that each extend to the width of an end of a package member. Referring to *Shibuya* Figures 7 and 9, *Shibuya* teaches sealing members 7 that are slightly wider than a lead electrode 6 and much narrower than the width of the sealing member 4. Thus, like the conventional art discussed in Applicants' Background of the Invention, *Shibuya* fails to teach sealing members that extend to the width of an end of a package member. Accordingly, *Shibuya* would fail to provide a seal that is as good as Applicants' claimed invention. Gaps would be found at the outer sides of *Shibuya*'s sealing members 7. For at least this reason, *Shibuya* fails to disclose or suggest claim 1.

Claims 2-6 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-6 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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